



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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SUMMARY COUNCIL MEETING MINUTES

LOCATION: Cherberg Building, Hearing Room 2
Capitol Campus
Olympia, Washington

MEETING DATE: January 8, 2016

Agenda Items	Committee Actions/Discussion
1. Welcome and Introductions	Meeting was called to order at 10:00 a.m. <u>Members in Attendance:</u> Dave Kokot, Council Chair; Steve Simpson, Vice Chair; Rod Bault, Dave DeWitte; Al French; Diane Glenn; Leanne Guier; Duane Jonlin; Mark Kulaas; Doug Orth; Dave Peden; Jim Tinner; Eric Vander Mey; Rep. Tana Senn; Ann Essko, AAG and Ann Larsen new Government Liaison <u>Staff in Attendance:</u> Tim Nogler, Managing Director; Krista Braaksma; Joanne McCaughan; Peggy Bryden <u>Visitors Present:</u> Bruce Verhei, G.F.Scheuermann, Rob Bradley, Al Audette, Jan Rohila, Jon Napier, Tim Herbert, Tonia Neal, Jerry Vanderwood, Ann Pierson, Steve O'Neill, Jerry Vanderwood, Andrew O'Neill, Ann Brackenburry, Mike Gumil, Rod Kauffman, Mike Devlin, Matt Freet
2. Review and Approve the Agenda of January 8, 2016	The agenda was approved with modifications. Tim noted there would be a discussion on appointments under Item 5 before getting into the elections.
3. Public Comment on Items Not on the Agenda	None was given.
4. Review and Approve Minutes of November 13, and 20, 2015	The minutes were approved with modifications to the November 20 minutes by Eric Vander Mey. His modifications were: Pg. 5 Peden's question was at the last Council meeting; Pg. 6 Tim Nogler said it should not need to go to legislature; same page Tim felt this did not need to go to the legislature since there was no change proposed in the code; Pg 8 at the end of the DOAS discussion the count of the vote was 13 to 1. Motion made by Steve Simpson to approve both sets of minutes, seconded by Doug Orth. Motion carried.
5. Election of Officers and Appointments of Committees	Mark Kulaas nominated Steve Simpson for Council Chair. Duane Jonlin seconded the nomination. No further nominations were made. The Council voted Steve Simpson as Chair. Nominations for Vice Chair were Dave DeWitte by Duane Jonlin. Diane Glenn nominated Doug Orth. Dave DeWitte received six votes, Doug Orth received 4

	<p>votes. Dave DeWitte is appointed Vice Chair.</p> <p>Tim Nogler reported that a number of members' terms were up this year, including Dave DeWitte. He has applied to be reappointed..</p> <p>Terms also were expiring for Mark Kulaas, Dave Kokot, Paul Duffau and Dave Peden.</p> <p>Dave Kokot at this time turned the gavel over to Steve Simpson. Steve thanked Dave for all of his work as chair.</p> <p>Appointment of Committees.</p> <p>Tim reported the four standing committees and their membership. The Executive Committee is made up of the Council Chair, the Vice Chair and the chairs of the other committees. Eric Vander Mey agreed to continue as chair of the MVE Committee. Other MVE members are Steve Simpson, Dave DeWitte, Duane Jonlin, Doug Orth.</p> <p>BFP Committee members are Steve Simpson, Rod Bault, Al French, Doug Orth, Jim Tinner, and Leanne Guier was added. Dave Kokot nominated Jim Tinner as chair to replace Dave Peden. There were no other nominations and Jim Tinner was made chair.</p> <p>Tim then said the Legislative Committee meets via conference call on a weekly basis. Mark Kulaas is the outgoing chair. Leanne Guier was nominated by Dave DeWitte as chair and was appointed. Others on the committee are Duane Jonlin, Doug Orth, Rod Bault, Dave DeWitte, and Steve Simpson.</p> <p>Tim noted the Council would need to look at the meeting schedule to designate a time for this committee to meet.</p>
<p>6. Reconsideration of IRC Townhouse Sprinklers</p>	<p>Tim Nogler outlined the petition, the three options for the Council, which are to approve the petition, deny it, or defer it the request for not more than 30days.</p> <p>Dave Kokot spoke to some of the items in the reconsideration letter, in favor of the petition. This was followed by comments by Diane Glenn in opposition to the petition. Jim Tinner commented concurring with both Kokot's and Glenn's comments.</p> <p>Jim suggested a TAG to look at the issue. Duane Jonlin feels the issue is whether the townhouse more represent a single family home or a multi-family home.</p> <p>Doug Orth commented on the original cost analysis based on a national model.</p> <p>Rod Bault feels a special committee is needed to review all the facts and determine a decision. Al French feels the Council doesn't have accurate data to base a decision on.</p> <p>Mark Kulaas asked for clarification on the process. What should the public comment be on; should it be limited to whether or not the issue be reconsidered.</p> <p>Steve Simpson asked for public comment.</p> <p>Al Audette with BIAW felt that on the original vote the Council was unclear on what they were voting for. Al then stated this was not a statewide need. Kokot disagreed.</p>

	<p>Jon Napier, the proponent of the amendment, , stated there seemed to be confusion in the voting by the Council. If there was confusion the association wanted to be able to discuss it. This discussion points to the need for a TAG.</p> <p>Simpson entertained a motion to reconsider the townhome sprinklers. Diane Glenn moved to deny the appeal, with the formation of a TAG or subcommittee to further study the info into the next code cycle. Dave Kokot seconds this motion. Duane Jonlin asks to have the motion separated. Diane Glenn agreed and Dave DeWitte seconded the amended motion to deny the petition. The motion carried 9 to 2.</p> <p>Dave Kokot agreed to the second motion for the formation of a TAG. Doug Orth asked why the existing Fire TAG couldn't take care of this issue. Duane Jonlin feels more information is needed before the TAG is created. Dave Kokot feels the TAG is needed to pull all the info together. Jim Tinner agreed. Diane Glenn also agreed with the TAG formation.</p> <p>Dave DeWitte states there seemed to be more contentious issues, and it sets a dangerous precedent to establish a new TAG for every one.</p> <p>Tim noted first there was a legislative mandated special TAG in the past on this issue.</p> <p>Dave Peden asked if an extra TAG would burden the staff since it was a non-code year.</p> <p>Call for the question.</p> <p>Five votes in favor, six against. Motion to form a new TAG failed.</p> <p>Tim noted the denial must state the reasons. They can be taken from the discussion today. He also said there was the March deadline for code change proposals.</p> <p>Mark Kulaas commented on the reasons for denial, he felt he was quite clear in November on what he was voting for at the time.</p>
<p>7. Legislative Issues</p>	<p>Energy Code</p> <p>Tim Nogler presented a graph on the estimated savings figures. In the report, the numbers will be asterisked with a notation that they are ballpark figures. It will take some more time to get more precise figures.</p> <p>Steve Simpson expressed some concern about being behind in delivering the report. He opened the issue for discussion from Council members.</p> <p>Eric Vander Mey said he had a lot of thoughts on the issue, but wondered if this chart should be included. His conclusion is the Council isn't funded to do what they should be doing.</p> <p>Doug Orth liked the idea of sending a message about funding and staffing. He is concerned about submitting a report he hasn't seen. He would like the report to be approved by the Council before it is submitted. Vander Mey noted the motion at the last meeting was to have the staff prepare the report</p>

Duane Jonlin felt the results will show the final commercial numbers are better than reflected here. With more funding available, the Council could develop a more objective analysis.

Dave DeWitte asked Eric to clarify his recommendation. Eric stated his recommendation was to submit the report with a notation that more funding was necessary to create a process to look at savings. He feels the Council should issue the same chart with a question mark on the savings made.

Duane Jonlin asked Tim how the legislation and governor's orders work together. Is the Council bound by the benchmark levels on the chart, or can they go for additional savings. Tim said he didn't think the Council was restricted in any way. Eric stated another way to respond is with a range of savings. Eric also said he thinks the make-up of the Council needs to change to include members to assist with the energy code analysis.

Steve Simpson opened the issue to public comment.

Chuck Murray with Commerce encouraged the Council to submit an estimated number. He also feels the Council should submit information as to why the uncertainty exists.

There is another section of the RCW that asks Commerce to submit an estimate of savings that would be reported at that time.

Tonia Neal with CMI commented on the report stating that with all the public disclosure issues, she encouraged the Council to review the report before submitting it.

Eric asked if it was appropriate to notify the legislature that we need more time to complete the report. Tim said staff could work on this. Tim said that he would send the report out to the members of the Council for their review.

Ann Essko is advising the Council to have a special meeting to approve the report. Steve Simpson asked for a motion to post the report and schedule a meeting to review it.

Tana Senn asked if this delay would affect the effective date of the codes. Tim indicated it would not; they are separate issues.

Eric Vander Mey moved to have interested Council members work with staff on the report, and to set up a conference call to review the report including the chart with the comments noted by Chuck Murray and the comments of the lack of funding. Diane Glenn seconded this motion.

Doug Orth asked if that would include public comment. Eric said it would. Doug then asked that the report be posted on the website for public review and comment. Dave DeWitte then asked for the AAG's opinion on taking public testimony on the report. Duane Jonlin felt there could be no harm in having public comment on the report.

Call for the question. The motion carried with no opposing votes.

Eric asked members interested in looking at the report before it is posted to raise their hand. Tim indicated he would get the report out to all council members.

	<p><u>SBCC Fee/Reform</u></p> <p>Tim Nogler noted the big issue is the Council is operating off a dedicated fund that hasn't been increased since 1989 and the balance continues to decline.</p> <p>Tim indicated there was a reform bill last year, looking at the steps in the rulemaking process. The Council already has an additional step unique to the process. No other agency sits through the session before becoming effective.</p> <p>Steve Simpson asked if the Council would be interested in going through some sort of process review to look at how we're doing business.</p> <p>Dave Kokot noted there was some funding for the cannabis TAG in the last session and wondered if something similar could be offered this year.</p> <p>Tana Senn said there should be some analysis of what funding would be necessary moving forward. Working on the reform and come out with a recommendation with a fee increase.</p> <p>Steve Simpson asked for a motion to have the Legislative Committee look at the bills and issues. The motion made by Mark Kulaas was seconded by Doug Orth. The motion carried.</p> <p>Tim reported there was a bill introduced to adopt the wildland urban interface code. Any public comment on the legislation.</p> <p>Bruce Voorhees, of Lacey Washington, felt it may not be much of a concern reviewing a program with four staff.</p> <p>The Council took a 5 minute break.</p>
<p>8. 2016 Workplan</p>	<p>Duane Jonlin asked about the timing of the published book from ICC and the correction of errors. Tim Nogler noted that we are not currently set up with ICC for publishing a 2015 WSEC.</p> <p>Doug Orth noted there were some other housekeeping items and asked about that process. Tim said that a rulemaking agenda document will be filed with the code reviser. Tim also noted that WAC 51-04 is recommended to be reviewed by the Executive Committee to clean it up and clarify procedures.</p> <p>Doug Orth suggested issuing the form each year rather than just have it hanging out.</p> <p>Dave DeWitte felt it was appropriate to thank the staff for their work in preparing the 2015 cod over the last year.</p> <p>Duane Jonlin commented that extensive analysis was not necessarily appropriate on all proposals.</p> <p>Motion to approve the meeting schedule with changes to March dates was made. Motion carried. The Legislative Committee dates were moved to Friday.</p> <p>Dave Kokot reported on the formation of the cannabis issue TAG. Duane asked if the issues were limited to building and fire code issues. Kokot indicated yes at this time. Al French commented on the health effects of the odors. He suggested someone from the clean air agency be included in the TAG.</p> <p>Public Comment</p>

	<p>Steve O'Neill commented on the TAG formation and the cannabis rules.</p> <p>Duane Jonlin asked if there should be representatives from the different types of facilities, size wise and other wise.</p> <p>Comments were also made by Mike Devlin, producer/processor and Kevin Oliver.</p> <p>Tim noted there needed to be a deadline set for the submittal of applications. He suggested the end of the month.</p> <p>Other public comments were from Josh Pringle, Toni Nersesian, and Matt Freed.</p> <p>Steve Simpson asked for a motion on the formatting of a TAG.</p> <p>Jim Tinner moved to accept the list as shown replacing the producer with producer/processor Diane Glenn seconded the motion.</p> <p>Dave Kokot suggested adding a contractor and clean air agency rep. This was taken as a friendly amendment.</p> <p>The deadline for applications will be the end of January. Staff will send out a letter to the listserv for recruitment of TAG members.</p> <p>Tim asked for a chair for the TAG. Kokot recommended the incoming fire representative once the appointment is official. She is okay with the appointment.</p> <p>Motion was given for the chair. The motion carried.</p>
10. Staff Report	<p>Tim stated the staff is in the process of filing the rules. Some of the rules have been filed. He expects all the filing to be completed in the next week. It will probably take a month to have all the documents posted and available.</p>
13. Adjourn	<p>The meeting was adjourned at 12:53 p.m.</p>